

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 01013.0255.PCUS00
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known) 10/530320
INTERNATIONAL APPLICATION NO. PCT/EP2003/010990	INTERNATIONAL FILING DATE 3 October 2003	PRIORITY DATE CLAIMED 7 October 2002
TITLE OF INVENTION Magnetic Rail Brake		
APPLICANT(S) FOR DO/EO/US Guido BIEKER;		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An Oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 36 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information. A copy of the published international application no. <u>WO24031015</u>, including the search report 		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/530320		INTERNATIONAL APPLICATION NO. PCT/EP2003/010990		ATTORNEY'S DOCKET NO. 01013.0255.PCUS00	
21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
a) BASIC NATIONAL FEE		\$300.00			
b) EXAMINATION FEE		\$200.00			
c) SEARCH FEE		\$500.00			
TOTAL OF ABOVE CALCULATIONS \$1,000.00				\$ 1 000	
Surcharge of \$130.00 for furnishing the Oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	20- 20 =	0	X \$ 50.00	\$	
Independent claims	3 - 3 =	0	X \$ 88.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			X \$300.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1000	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1 000	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1 000	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40	
TOTAL FEES ENCLOSED =				\$ 1 040	
Amount to be refunded:				\$	
charged:				\$	
a. <input type="checkbox"/> A check in the amount of \$ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 08-3038 referencing the docket number shown above in the amount of \$ 1 040 to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> Any extension of time that may be deemed necessary for this application is hereby requested. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-3038 referencing the docket number shown above. A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Customer No. 32894 Howrey Simon Arnold & White 2941 Fairview Park Drive, Suite 200 Falls Church, VA 22042 Fax: 202-383-7195			SIGNATURE: <u>David P Owen</u> NAME: <u>David P Owen</u> REGISTRATION NUMBER: <u>43,344</u> TELEPHONE NUMBER: <u>9 011 31 20 5924422</u>		



REMBRANDT TOWER
AMSTELPLEIN I
31ST FLOOR
1096 HA AMSTERDAM
P.O. Box 94361
1090 GJ AMSTERDAM
THE NETHERLANDS
Phone +31 20 592 4411
Fax +31 20 463 7296
www.howrey.com

DIRECT: +31 (0)20 592 4422
clarksonp@howrey.com

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Amsterdam, 5th April 2005

Dear Sir,

US National Phase of International Patent Application No. PCT/EP2003/10990
International Filing Date: 3rd October 2003
Inventors: Bieker
Entitled: "Magnetic Rail brake"
Our Ref: 01013.0255.PCUS00

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Transmittal letter to the United States Designated/Elected Office, Form PTO-1390 (in duplicate);
2. Signed Declaration by the Inventor and Power of Attorney (combined);
3. A preliminary amendment;
4. Assignment to Bombardier Transportation GmbH, recordation of which is hereby requested;
5. Recordation Form Cover Sheet for the assignment
6. One (1) return receipt postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to our Deposit Account No. 08-3038 referencing docket number 01013.0255.PCUS00.



\$1000.00 Filing fee for patent application
\$ 40.00 Fee for registering an assignment

A duplicate copy of this letter is enclosed.

Please associate this application with and address all correspondence to:

Customer Number 32894

HOWREY SIMON ARNOLD & WHITE
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
USA

Please address all telephone calls to:

David P. Owen
9 011 31 20 592 4422

It is respectfully requested that the attached postcard be stamped with the filing date of these documents and returned to our courier.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David P. Owen".

David P. Owen
US Patent Attorney
Reg. No. 43,344